

REMARKS/ARGUMENTS

The non-final Office Action of January 25, 2008, has been carefully reviewed and these remarks are responsive thereto. Claims 19-29 and 34-43 are pending in the application. Applicant's counsel wishes to thank the Examiner for the interview on May 23, 2008, even though no agreement on allowable subject matter was reached at that time. Reconsideration and allowance of the instant application are respectfully requested.

Objections to Claims

Claims 22-29 and 34-36 were objected to because of the informality of reciting "acc ording." These claims have been amended to remove the space between the two words so that the claims now recite "according."

Objection to the Specification

The specification was objected to as failing to provide proper antecedent basis for claimed subject matter. Specifically, the Office Action stated that claim 42 states "computer readable storage media," and that there is no mention or a definition of computer readable storage media in the specification as filed. Figure 2 of the application as originally filed, however, shows a processor 18 in combination with RAM and ROM. It is respectfully submitted that the nomenclature "computer readable storage media," in claim 42 has clear support or antecedent basis in the specification, and that the objection to the specification should be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 19, 20 and 37-43 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kumar (5,648,760) in view of King et al. (6,011,554) further in view of Tattari (5,265,158).

Claims 21-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kumar-King-Tattari further in view of Alperovich et al (6,119,014) further in view of Nokia 6100 User's Guide, 9351506, Issue 2.

Claims 25-29 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kumar-King-Tattari-Alperovich-Nokia further in view of Mercer et al (6,167,429).

Claims 34-36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kumar (5,648,760) in view of King et al. (6,011,554) and (sic, Tattari) further in view of Alperovich et al (6,119,014).

The above rejections are respectfully traversed. As recognized in the Office Action, Kumar does not specifically teach entering characters via an alphanumeric key pad of the device and entering date and time information via the alphanumeric key pad. As recognized in the Office Action, neither Kumar nor King teaches a mobile telephone. While Tattari teaches a mobile telephone, Tattari does not remedy the deficiencies in the proposed combination of Kumar and King.

The Office Action mailed January 25, 2008, does not address the full arguments in Applicant's response filed October 26, 2007. The types of mobile telephones disclosed in the present application are directed to those that do not have a calendar application. These types of mobile telephones are typically lower cost mobile telephones. The Office Action of January 25, 2008, does not dispute that prior to the present application, those of ordinary skill in the art ignored the lack of features of such mobile telephones due to not having a calendar application therein. On the other hand, the applicant of the present application set out to address the lack of features in such mobile telephones and has provided, in the present application, solutions that now provide the very features previously lacking in such mobile telephones.

To facilitate prosecution and to further clarify the invention, independent claim 37 has been amended to claim "a user interface including a display and an alphanumeric key pad for entering date and time information associated with a reminder text label upon accessing a menu of the telephone and then a reminder menu of the telephone." Thus, claim 37 now claims:

A mobile telephone comprising:
a control unit;
a reminder application stored in memory, said reminder application notifying the user about the occurrence of one or more timed events, where each timed event has an associated reminder text label and date and time for the reminder;

a clock application stored in memory, said clock application controlled by the control unit for providing clock information to the reminder application; and

a user interface including a display and an alphanumeric key pad for entering date and time information associated with a reminder text label;

the reminder application, when activated, uses a text editor from a message application of the telephone to provide a text editor window into which the user through the user interface enters a reminder text label, and a time entry window in which the user through the user interface enters a date and time associated with the reminder text label upon accessing a menu of the telephone and then a reminder menu of the telephone, the control unit adapted to execute time comparison between the clock information and the time set for said events, and to control the issuance of a reminder alert to an intended user once the clock information from the clock application matches the time set for one of said events, the mobile telephone not having a calendar application that provides for display of series of pages showing dates.

The above amendment is supported by at least page 6, lines 10-24, and Figures 3 and 4, of the application as originally filed. The claimed invention is not obvious in view of the cited art. There is no evidence or suggestion in the cited art of such a configuration.

Even if the proposed combination of Kumar-King and Tattari is proper, it does not result in a “reminder application, when activated, uses a text editor from a message application of the telephone to provide a text editor window into which the user through the user interface enters a reminder text label, and a time entry window in which the user through the user interface enters a date and time associated with the reminder text label upon accessing a menu of the telephone and then a reminder menu of the telephone . . .” Modifying Kumar with the teachings of King to include an alphanumeric keypad for entering text does not result in a “reminder application, when activated, uses a text editor from a message application of the telephone to provide a text editor window into which the user through the user interface enters a reminder text label, and a time entry window in which the user through the user interface enters a date and time associated with the reminder text label upon accessing a menu of the telephone and then a reminder menu of

the telephone . . .” Modifying the proposed combination of Kumar-King with Tattari to provide phone functionality, i.e., add a phone to the proposed combination of Kumar-King, does not result in a “reminder application, when activated, uses a text editor from a message application of the telephone to provide a text editor window into which the user through the user interface enters a reminder text label, and a time entry window in which the user through the user interface enters a date and time associated with the reminder text label upon accessing a menu of the telephone and then a reminder menu of the telephone . . .” There is no teaching of use of a text editor from a message application in the telephone of Tattari as claimed in claim 37. There is no teaching of accessing a reminder menu of the telephone after accessing a menu of the telephone of Tattari as claimed in claim 37.

In sum, there is no suggestion to combine the teachings of the cited art as advanced in the Office Action mailed January 25, 2008, to provide the invention as claimed in pending claim 37, as amended, except from using the applicant’s invention as a template through a hindsight reconstruction of applicant’s claims. Even if the proposed combination is proper, it does not result in the invention of pending claim 37. Independent claims 38, 42, 43, have similar features, and are patentable for at least the same reasons as claim 37. The dependent claims are similarly patentable for the same reasons as the independent claims from which they depend, and for the additional features claimed therein.

CONCLUSION

In view of the foregoing, it is respectfully submitted that pending claims are in condition for allowance. The Examiner is invited to contact the undersigned at the telephone number provided below, should it be deemed necessary to facilitate prosecution of the application.

Appln. No.: 09/940,484
Amendment dated May 27, 2008
Reply to Office Action of January 25, 2008

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: May 27, 2008

By:

A handwritten signature in black ink, appearing to read "Robert H. Resis", written over a horizontal line.

Robert H. Resis

Registration No. 32,168

Direct Dial No. (312) 463-5405